

FILED 10 OCT 21 14:59 USDC-OR

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

WILMER KEITH BRECKENRIDGE,

Plaintiff,

CV 08-734-CL

v.

ORDER

HARVEY LAPPIN, et al.,

Defendants.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been timely filed, this court reviews legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983).

I find no error. Accordingly, I ADOPT the Report and

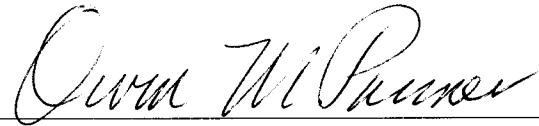
Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#85) is adopted. Defendants' motion for summary judgment (#66) is granted and this action is dismissed with prejudice.

IT IS SO ORDERED.

DATED this 21 day of October, 2010.

A handwritten signature in cursive script, reading "Owen M. Panner", is written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE